

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

| | | |
|--------------------------------------|---|--------------------------|
| William Rance Jones, |) | C/A No. 0:10-568-JFA-PJG |
| |) | |
| Plaintiff, |) | |
| v. |) | ORDER |
| |) | |
| Federal Bureau of Prisons; Warden of |) | |
| FCI-Estill, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

The *pro se* plaintiff, William Rance Jones, is a federal prisoner who brings this action under 28 U.S.C. § 2241. He alleges that the Bureau of Prisons (“BOP”) is denying him jail credit against his federal sentence.

The Magistrate Judge assigned to this action¹ has prepared a thorough Report and Recommendation and opines that the defendants’ motion to dismiss² should be granted. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The plaintiff was advised of his right to file objections to the Report and Recommendation, which was entered on the docket on October 25, 2010. However, the

¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

² An order was issued pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975) notifying plaintiff of the summary dismissal procedure and possible consequences if he failed to adequately respond to the motion to dismiss. The plaintiff responded to the motion.

plaintiff failed to file objections. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

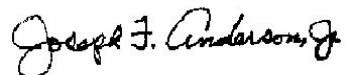
As the Magistrate Judge correctly opines, the plaintiff's claims are no longer actionable. The plaintiff's sentence has been re-computed to reflect the commencement of his federal sentence on February 9, 2007, and his jail credit was properly credited. The plaintiff has confirmed that the credit has been applied and consents to the dismissal of this action.

After carefully reviewing the applicable laws, the record in this case, and the Report and Recommendation, this court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law.

For all the foregoing reasons, the Report and Recommendation is incorporated herein by reference, and there being no live case or controversy to be adjudicated nor further relief, the defendants' motion to dismiss is granted.

IT IS SO ORDERED.

November 30, 2010
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge